

## **REMARKS/ARGUMENTS**

Claims 1, 3-6, 12 and 14-16 are pending in the present application. Claims 1 and 12 have been amended, and Claims 2, 13 and 17-22 have been cancelled, herewith. Applicant requests entry of this amendment after final as placing this case in condition for allowance.

### **I.      35 U.S.C. § 101**

The Examiner has rejected claims 17-21 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed, as Applicant has cancelled such claims herewith, without prejudice or disclaimer, such that this case can expeditiously pass to issuance.

### **II.     35 U.S.C. § 103, Obviousness**

The Examiner has rejected claims 1, 3-6, 12, 14-17, and 19-22 under 35 U.S.C. § 103 as being unpatentable over Bharati in view of James (U.S. Patent No. 6,910,038 B1), hereinafter “James”, and McMahon et al. (U.S. Patent Application Publication No. 2004/0019396 A1), hereinafter “McMahon”. This rejection is respectfully traversed.

Applicant has amended independent Claims 1 and 12 to include the features of allowable Claims 2 and 13, respectively. Thus, it is urged that independent Claims 1 and 12 are now in condition for allowance.

Applicant traverses the rejection of dependent Claims 3-6 and 14-16 for reasons given above with respect to their respective independent claims.

Applicant has cancelled Claims 17-22 herewith, without prejudice or disclaimer, such that this case can expeditiously pass to issuance

Therefore, the rejection of claims 1, 3-6, 12, 14-17, and 19-22 under 35 U.S.C. § 103 has been overcome.

### **III.    Allowable Claims**

Applicant graciously acknowledges the allowance of Claims 2 and 13. As indicated above, all of the features of these allowable claims have been added to the pending independent claims in order to place this case in condition for allowance.

**IV. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

/Wayne P. Bailey/

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